

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1589 of 2019

Arising Out of PS. Case No.-379 Year-2018 Thana- MAKHDUMPUR District- Jehanabad

Bhagirath Prasad @ Bhagirath Pd. Yadav son of Sri Gajadhar Pd. Yadav,
Resident of village Aropur, P.S. Wazirganj District Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Anand

For the Opposite Party/s : Mr.Sri Ram Bachan Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-01-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with Makhdumpur (Tehta O.P.) P.S.Case no.379 of 2018 dated 13.10.2018 , registered for offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 .

Allegation against the petitioner is about recovery of 147 ltrs. of liquor from the Scorpio Vehicle and two persons were apprehended and at their instance, huge quantity of liquor has been recovered from other places. The petitioner being owner of the vehicle has been named in the FIR.

Submission of the learned counsel for the petitioner is that he has given vehicle to the G.K.C. Project Pvt. Ltd., Jehanabad on hire basis and as such the same was under control of that G.K.C. Project Pvt. Ltd. and he has been falsely



implicated in this case, having no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise) cum Additional Sessions Judge II, Jehanabad in connection with Makhdumpur (Tehta O.P.) P.S.Case No.379 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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